IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 796 OF 2005
IN
NOTICE OF MOTION NO.1248 OF 2005
IN
SUMMARY SUIT NO.3348 OF 2003

Stagekraft Entertainment Pvt.Ltd.
& Anr. ...Appellant

V/s.

Global Foundation & Ors. ...Respondents

Mr.Kirit H. Mody i/b. RMG Law Associates for Appellant.
Mr.Thomas Almeida for Respondents.

CORAM : H.L. GOKHALE AND
SMT.R.S. DALVI, JJ.
DATED : OCTOBER 26, 2005

P.C. :-

. Heard Mr.Mody for the appellant. Mr.Almeida appears for the respondents. The submission of Mr.Mody is that the letter dated 27th July, 2000 on the basis of which the suit is filed ought to lead to a regular money claim and not to summary suit. Without prejudice to this submission, however, he is agreeable, on instructions, to deposit Rs.3.5 lakhs within four weeks. The Counsel appearing for the respondents has, of course, submitted that the order be maintained as it is.

. In the facts of the present case therefore, we modify the impugned order and permit the appellant to deposit Rs.3.5 lakhs within four weeks with the Prothonotary & Senior Master.

. Appeal partly allowed to this extent.

(H.L. GOKHALE, J.)

(SMT.R.S. DALVI, J.)